

# **EXHIBIT 8**

**Filed Under Seal**

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MINNESOTA

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IN RE PORK ANTITRUST LITIGATION No. 0:18-cv-01776-JRT-JFD  
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REMOTE VIDEOTAPED DEPOSITION

OF

MAPLEVALE FARMS CO.

BY

JULIE DUNDERDALE

Wednesday, July 20, 2022

Reported by:  
AYLETTE GONZALEZ, RPR, CLR, CCR  
JOB NO. 2022-854205

1 JULIE DUNDERDALE (7/20/22)

2 to testify to today?

3 A. 11. We don't really use that.

4 Q. Okay.

5 A. The rest -- the rest are fine.

6 Q. So just to clarify your answer,  
7 when you say "we don't really do that," are  
8 you saying that benchmarking services or  
9 industry data gathering services is not a  
10 thing that Maplevale does?

11 A. Correct.

12 MR. OWEN: Counsel, excuse me,  
13 may I interject. Witness was as far  
14 as designated topics for particular  
15 witnesses goes, the witness was  
16 prepared to testify on 11, but her  
17 testimony will be as follows.

18 MR. BOXBAUM: I know. That's  
19 kind of what I'm clarifying, but  
20 thank you.

21 Q. Then the same question for  
22 topics 16 to 22?

23 A. Yes.

24 Q. Okay. Thank you.

25 Is there anyone at Maplevale

1 JULIE DUNDERDALE (7/20/22)  
2 that would be more knowledgeable than you  
3 about these topics?

4 A. No.

5 Q. Okay. You can actually set  
6 that document aside. We're all set.

7 A. Okay.

8 Q. All right. At a high level,  
9 can you just briefly describe what  
10 Maplevale does?

11 A. Maplevale is a broadline food  
12 service distributor.

13 MR. BOXBAUM: I'm sorry, I  
14 think I heard somebody else speak up.

15 MR. OWEN: Counsel, I want to  
16 clarify the record. We have, prior  
17 to this deposition, designated what  
18 the witness -- her topics, those have  
19 already been set. She's not  
20 designated to testify on all topics  
21 of the deposition.

22 MR. BOXBAUM: I understand, and  
23 I recall that, and that's why I asked  
24 her to review only the specific  
25 topics that she was designated for,

JULIE DUNDERDALE (7/20/22)

which is why I didn't have her just go through all of the topics in the notice.

So I'm not certain, are you lodging an objection to the prior question on the basis that it is a topic she was not designated to speak of?

MR. OWEN: No, we're seeking to clarify the fact that she's been designated on the topics that we agreed to have her designated to testify about and not all of the topics in the deposition notice.

MR. BOXBAUM: Okay. Thank you.

BY MR. BOXBAUM:

Q. All right. You use the term broadline distributor; can you explain that more?

A. We distribute meat, groceries, paper goods, chemicals, most things that a restaurant would use.

Q. Are all of your customers restaurants?

1 JULIE DUNDERDALE (7/20/22)

2 can you -- can you clarify what type of  
3 product that is?

4 A. It's a pre-cooked sausage with  
5 different flavorings.

6 Q. Any other products that you can  
7 recall buying from Tyson?

8 A. Not that I can recall.

9 Q. And did that stay consistent  
10 over the relevant time period?

11 MR. OWEN: Object to form.

12 A. Pardon.

13 MR. OWEN: You can answer.

14 A. For the most part, would  
15 probably, yes.

16 Q. Okay. Thank you.

17 And turning to Clemens, what  
18 pork products did Maplevale buy from  
19 Clemens in the relevant time period?

20 A. Yes.

21 Q. Which products?

22 A. Their premium reserve loins and  
23 bone-in loins, hams, sausage. I think  
24 that's about it from them.

25 Q. You mentioned premium reserved

1 JULIE DUNDERDALE (7/20/22)

2 loins; what is premium reserve?

3 A. It's a specific brand of  
4 Clemens.

5 Q. So the brand itself was labeled  
6 as premium reserve?

7 A. Yes.

8 Q. Was it a higher quality than  
9 the other Clemens products?

10 A. I'm sorry, you cutout on me.

11 Q. I'm sorry.

12 Was that a higher quality  
13 product compared to other Clemens commodity  
14 products?

15 A. Not really. It's just marketed  
16 differently.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[illegible]



1 JULIE DUNDERDALE (7/20/22)

2 A. We do a product cutting with  
3 either the supplier or the broker, whoever  
4 comes in and they present it to us and we  
5 look at it and evaluate it that way.

6 Q. What -- what would evidence a  
7 bad quality product?

8 MR. OWEN: Object to form.

9 A. For instance, in a ham, if you  
10 cut it open and there's a big glob of fat  
11 in it or a big void in it, that would be  
12 bad quality.

13 Q. Sorry. There's a siren right  
14 outside of my window, I'm trying to wait  
15 for it to pass. I don't know if you can  
16 hear it on your end.

17 Would you say that you could  
18 compare -- so you mentioned hams -- sorry,  
19 let me strike that.

20 So you mentioned hams and there  
21 could be a quality issue with a glob of  
22 fat. Did different suppliers have  
23 different quality hams?

24 MR. OWEN: Object to form.

25 A. Yes. Pretty much every

1 JULIE DUNDERDALE (7/20/22)  
2 supplier makes a top quality ham on down to  
3 an economy ham.

4 Q. Would you be able to tell a top  
5 quality Smithfield ham from a top quality  
6 Tyson ham?

7 MR. OWEN: Object to form.

8 A. It could have the same specs,  
9 but it's going to be a flavor profile  
10 difference.

11 Q. So Maplevale purchased flavored  
12 hams from Tyson in the relevant time  
13 period?

14 A. Not necessarily flavored. In  
15 their processes, they smoke them  
16 differently, which gives them different  
17 flavors that makes them possibly too smoky  
18 for the northeast or maybe not enough for  
19 the southwest. It's not really a flavored  
20 ham.

21 Q. I think I understand. So by  
22 flavored, you're not referring to specific  
23 seasonings or a marinade or something like  
24 that, correct?

25 A. Correct.

1 JULIE DUNDERDALE (7/20/22)

2 MR. OWEN: Objection.

3 Q. By flavoring, you're referring  
4 to the process may just lead to products  
5 that taste different?

6 MR. OWEN: Object to form.

7 A. You cutout on me again.

8 Q. I apologize.

9 A. That's okay.

10 Q. So you're indicating that based  
11 on how the different processors manufacture  
12 their hams, they might just taste  
13 different?

14 A. Yes.

15 MR. OWEN: Object to form.

16 Q. And some -- as you've  
17 testified, some customers in a particular  
18 region may have a general preference for  
19 one over the other, for say Tyson over  
20 Smithfield, based on that flavoring?

21 MR. OWEN: Object to form.

22 A. Yes.

23 Q. Okay. You mentioned that one  
24 thing Maplevale will look for in a supplier  
25 is whether they will support Maplevale in

1 JULIE DUNDERDALE (7/20/22)  
2 items from other suppliers and market  
3 conditions.

4 Q. And can you clarify what you  
5 mean by "market conditions"?

6 MR. OWEN: Object to form.

7 A. As an example, I mean, if it's  
8 January and somebody's got a bunch of hams  
9 to sell, we're past the season where we can  
10 sell them and the price should be lower.

11 Q. Okay. We've been going about  
12 an hour, so would you like to take a  
13 ten-minute break now?

14 A. Yes, please.

15 Q. Okay.

16 MR. BOXBAUM: Why don't we go  
17 off record.

18 THE VIDEOGRAPHER: Okay going  
19 off the record at 9:58 a.m.

20 (Whereupon, at this time, a  
21 short break was taken.)

22 THE VIDEOGRAPHER: We're back  
23 on the record at 10:10 a.m.

24 BY MR. BOXBAUM:

25 Q. All right. Ms. Dunderdale, I

1 JULIE DUNDERDALE (7/20/22)  
2 would like to continue discussing the  
3 specifics of how Maplevale purchases pork,  
4 and I'll start with Smithfield.

5 Does Maplevale have a contract  
6 with Smithfield?

7 A. What do you mean by contract?

8 Q. Does it have any kind of  
9 written agreement with Smithfield about the  
10 purchase of pork?

11 A. No.

12 Q. How does Maplevale buy pork  
13 from Smithfield?

14 MR. OWEN: Object to form.

15 A. We place orders based on our  
16 inventory and demand.

17 Q. Is that a -- how frequently  
18 does Maplevale place orders from  
19 Smithfield?

20 A. Weekly.

21 Q. Is there a specific day of the  
22 week that Maplevale always places its  
23 weekly orders?

24 A. Yes, but I don't know what that  
25 is. I'm not the buyer.

1 JULIE DUNDERDALE (7/20/22)

2 Q. You mentioned you place an  
3 order based on inventory and demand,  
4 correct?

5 A. Yes.

6 Q. How does Maplevale analyze its  
7 inventory for determining what pork it's  
8 going to purchase?

9 MR. OWEN: Object to form.

10 A. Our computer system tracks  
11 weekly sales and inventory. We also keep  
12 track of what the shelf life is on product,  
13 that has a lot to do with it and we place  
14 it based on our lead time and what our  
15 needs are, what the inventory level is and  
16 what we need to get to the next delivery.

17 Q. Is there a name for that  
18 computer system?

19 A. We call -- it's an in-house  
20 written by our own IT department that  
21 includes Doug Neckers.

22 Q. Understood.

23 How does Maplevale analyze  
24 demand with the purpose of demanding its  
25 pork purchases?

1 JULIE DUNDERDALE (7/20/22)

2 MR. OWEN: Object to form.

3 A. Current average, weekly sales,  
4 and same time last year, to look out ahead  
5 and look for growth trends due to the  
6 seasonality of something.

7 Q. Is there someone at Maplevale  
8 who is specifically responsible for doing  
9 that analysis?

10 A. Each buyer would do it based on  
11 what they see in the computer.

12 Q. When Maplevale places an order  
13 with Smithfield, does it buy off a price  
14 list?

15 A. Not usually.

16 Q. How does Maplevale learn the  
17 prices of the products that it wants to  
18 place an order for?

19 A. We do get weekly or not weekly,  
20 Smithfield is, I believe, monthly on their  
21 processed products. We do get that, but we  
22 order based on customer demand.

23 Q. Can you -- sorry. Can you  
24 clarify what you mean by "but we order  
25 based on customer demand"?

1 JULIE DUNDERDALE (7/20/22)

2 A. Customers are pretty set in  
3 what they will use. You cannot swap out  
4 one product for another with them.

5 Q. Okay.

6 A. If they want Smithfield bacon,  
7 that's what they want.

8 Q. How is the price determined for  
9 the products that Maplevale buys from  
10 Smithfield?

11 MR. OWEN: Object to form.

12 A. The suppliers price our order.

13 Q. Is that price a per unit price?

14 A. Per unit or per pound,  
15 depending on the item.

16 Q. Does Maplevale pay any other  
17 rate for an order?

18 A. Freight.

19 Q. Anything else?

20 A. No, not that I could think of.

21 Q. Does Maplevale negotiate that  
22 per unit price?

23 A. Yes, if we are making a volume  
24 buy on something, yes.

25 Q. When you say "a volume buy," do



1 JULIE DUNDERDALE (7/20/22)

2 you mean when you're buying a lot of  
3 something?

4 A. Yes.

5 Q. Okay. Can -- strike that.

6 So when -- so when Maplevale

7 makes an above-average purchase buy from

8 Smithfield in terms of volume, it can

9 negotiate for a lower price?

10 A. Yes.

11 Q. And how does Maplevale do that?

12 A. We reach out usually to the

13 broker rep who contacts the regional person

14 at Smithfield.

15 Q. It's something that Maplevale

16 initiates?

17 A. Yes.

18 MR. OWEN: Object to form.

19 Q. Is Maplevale generally

20 successful in getting that lower price?

21 MR. OWEN: Object to form.

22 A. Most of the time. If -- well,

23 not necessarily from Smithfield. We

24 wouldn't just throw something out to

25 Smithfield. We throw it out to Tyson or

1 JULIE DUNDERDALE (7/20/22)

2 Clemens or even GNC.

3 Q. Can you clarify what you mean

4 by "we wouldn't throw it out to

5 Smithfield"?

6 A. Well, we wouldn't ask just one

7 supplier. We would ask multiple suppliers,

8 for instance, I want to buy a load of ribs,

9 what can you give me for a price and we

10 throw it out to multiple suppliers.

11 Q. All right. I want to focus on

12 just that situation that you just

13 identified. So when would -- when would

14 that situation occur? When would Maplevale

15 throw it out to multiple suppliers that it

16 wants to buy a large order of, we'll say,

17 ribs?

18 MR. OWEN: Object to form.

19 A. Ribs is a good example, because

20 the brand doesn't necessarily matter, so we

21 would do it in the spring, early spring

22 before seasonality and demand takes over in

23 the summer, where we'd be looking to lock

24 in a good price for the summer.

25 Q. And when you throw out that

1 JULIE DUNDERDALE (7/20/22)

2 request, what does Maplevale receive back

3 from its suppliers?

4 A. They would come back with what

5 they could do for a price or they would

6 come back with no, we can't do that.

7 Q. Did Maplevale -- so after you

8 get that initial offer back from suppliers,

9 did Maplevale continue negotiations after

10 that?

11 A. No, not usually, no.

12 Q. Did Maplevale ever push a

13 supplier to lower its prices beyond what

14 they initially offered?

15 A. No.

16 Q. Why not?

17 A. Because usually their offers,

18 their first -- their best offer is their

19 first offer.

20 Q. Did Maplevale compare the

21 initial offers of -- that it received?

22 A. Yes.

23 MR. OWEN: Object to form.

24 Q. And how did it make the

25 decision which offer to accept?

1 JULIE DUNDERDALE (7/20/22)

2 MR. OWEN: Object to form.

3 A. Best price on the product that  
4 was closest to what we were looking for.

5 Q. Got that.

6 Now, this situation that we  
7 just discussed, that was occasional,  
8 correct, that wasn't every purchase of  
9 pork?

10 A. That's probably once a year  
11 maybe.

12 Q. Okay. When you say "once a  
13 year," do you mean once a year for a  
14 certain type of product?

15 A. Yes.

16 Q. And that would be based on the  
17 seasonal demands?

18 A. Yes.

19 Q. So when you sent out this  
20 request for ribs, you mentioned that it  
21 would be in the spring because ribs are  
22 more popular in the summer?

23 A. Yes.

24 Q. And there might be a different  
25 time that you would do that same request

1 JULIE DUNDERDALE (7/20/22)

2 for, let's say, hams?

3 A. Yes.

4 Q. Going back to the more general  
5 purchases, the more routine purchases, you  
6 mentioned that Maplevale will pay freight?

7 A. Yes.

8 Q. How is freight determined?

9 MR. OWEN: Object to form.

10 A. Whatever the transportation  
11 costs, we pay the freight to the suppliers  
12 and whatever their cost to get it delivered  
13 to us is.

14 Q. Does Maplevale ever negotiate  
15 on the rate that it pays for freight?

16 A. No.

17 Q. Was this general process that  
18 we've discussed, did that stay the same for  
19 Smithfield throughout the relevant time  
20 period?

21 A. Yes.

22 Q. Was there ever a period of time  
23 where -- in that relevant time period,  
24 where Maplevale stopped buying from  
25 Smithfield?

1 JULIE DUNDERDALE (7/20/22)

2 A. No.

3 Q. So there was never, say, a  
4 single week where Maplevale just didn't  
5 purchase anything from -- any pork from  
6 Smithfield?

7 MR. OWEN: Object to form.

8 A. It's certainly a possibility  
9 that we skipped a week.

10 Q. But it was unlikely that you  
11 would go more than that or a longer time --  
12 sorry, that was poorly said. Let me strike  
13 that.

14 It is unlikely that Maplevale  
15 ever went more than a week without  
16 fulfilling an order with Smithfield?

17 MR. OWEN: Object to form.

18 A. Correct.

19 Q. Okay. I want to turn next to  
20 Tyson, and for the sake of efficiency, I  
21 want to start by asking is everything that  
22 we said for Smithfield, was that the same  
23 for Tyson?

24 MR. OWEN: Object to form.

25 A. Yes. Yes.

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1 JULIE DUNDERDALE (7/20/22)

2 Q. So there was no contract with

3 Tyson?

4 A. No.

5 Q. And Maplevale put in weekly

6 orders with Tyson?

7 A. Tyson was probably biweekly.

8 Our purchases are smaller.

9 Q. And Maplevale would do the same  
10 analysis, that is looking at inventory and  
11 demand in determining what it was going to  
12 buy for that order from Tyson?

13 MR. OWEN: Object to form.

14 A. Yes.

15 Q. And Maplevale also paid a  
16 freight to Tyson?

17 A. Tyson is a straight delivered  
18 price.

19 Q. Can you explain what that  
20 means?

21 A. They include their freight rate  
22 in their pricing, so I -- we don't really  
23 know what their freight rate is.

24 Q. Understood. And then for

25 Clemens, there was no -- was there a

1 JULIE DUNDERDALE (7/20/22)

2 contract with Clemens?

3 A. No.

4 Q. Did Maplevale purchase from

5 Clemens on a weekly basis?

6 A. Yes.

7 Q. And it did the same analysis

8 for determining what it would buy from

9 Clemens as it did for Tyson and Smithfield?

10 MR. OWEN: Object to form.

11 A. Yes.

12 Q. Okay. Did Maplevale ever buy

13 pork on the spot market?

14 MR. OWEN: Object to form.

15 A. On the spot market?

16 Q. Yeah.

17 A. No, not that I'm aware of.

18 Q. Other than the involvement of

19 brokers that we've already discussed, that

20 is the broker coming to you on behalf of

21 Clemens or one of the manufacturers, did

22 Maplevale ever buy products from brokers?

23 MR. OWEN: Object to form.

24 A. No. Brokers don't invoice

25 product.



1 JULIE DUNDERDALE (7/20/22)

2 Q. Turning to the  
3 non-manufacturing suppliers that you've  
4 referred to, that is Dot Foods, Wolverine,  
5 and GNC, how does Maplevale submit orders  
6 for pork products from Wolverine?

7 A. We email them a purchase order.

8 Q. And is that the same process as  
9 we've discussed with Tyson, Clemens, and  
10 Smithfield?

11 A. Yes.

12 MR. OWEN: Object to form.

13 Q. Okay. Would that be the same  
14 with GNC?

15 A. Yes.

16 Q. And would that be the same with  
17 Dot Foods?

18 A. Yes.

19 Q. Does Maplevale ever receive any  
20 discounts or rebates from any of its pork  
21 suppliers?

22 MR. OWEN: Object to form.

23 A. Yes.

24 Q. Can you -- what discounts or  
25 rebates did it receive from Smithfield?

1 JULIE DUNDERDALE (7/20/22)

2 November 2, 2015?

3 A. Yes.

4 Q. And it was sent to -- is that  
5 you jdunderdale@maplevalefarms.com?

6 A. Yes.

7 Q. And with the subject UniPro  
8 Purchasing Newsletter November 2, 2015?

9 A. Yes.

10 Q. Is this an email that was  
11 received in the ordinary course of  
12 Maplevale's business?

13 A. Yes, it's a weekly newsletter.

14 Q. And do you have any reason to  
15 doubt that this is a true and accurate copy  
16 of this email exchange?

17 A. No.

18 Q. You mentioned -- did you say  
19 this is a weekly newsletter?

20 A. Yes.

21 Q. Okay. I want to look at the  
22 top, under the heading that says Block  
23 Buys/Margin Makers News and the first  
24 paragraph under that says, "REMINDER -  
25 UniPro Foodservice is pleased to offer a

1 JULIE DUNDERDALE (7/20/22)  
2 limited time savings opportunity on key  
3 Tyson Foods items, just in time for the  
4 holiday season." Do you see that? Did I  
5 read that correctly?

6 A. Yes.

7 Q. First of all, do you recall  
8 getting this email?

9 A. No.

10 Q. Do you know what products would  
11 have been subject to this limited time  
12 savings opportunity?

13 MR. OWEN: Object to form.

14 A. No.

15 Q. Okay. Do you recall if it  
16 could have involved Tyson pork items?

17 MR. OWEN: Object to form.

18 A. Could have. Could have been  
19 chicken.

20 Q. Okay. Do you recall if  
21 Maplevale ever received any discounts on  
22 Tyson Food items through UniPro?

23 MR. OWEN: Object to form.

24 A. No, not specifically, no.

25 Q. Okay. What would this time --

1 JULIE DUNDERDALE (7/20/22)

2 this limited time savings opportunity look

3 like?

4 MR. OWEN: Object to form.

5 A. I wouldn't even be able to say.

6 Q. Would it be just a reduced

7 price?

8 MR. OWEN: Object to form.

9 A. Not necessarily.

10 Q. Okay. How often would UniPro

11 offer savings like this?

12 MR. OWEN: Object to form.

13 A. Whenever they were available.

14 There's no consistent. Could have been

15 once a month. Could have been once every

16 six months, just depends when the

17 opportunities come up.

18 Q. And were these savings that

19 were only offered through UniPro?

20 MR. OWEN: Object to form.

21 A. As far as I know, yes.

22 Q. Okay. You can set that

23 document aside. And if you could turn to

24 document four.

25 MR. BOXBAUM: And I will state

1 JULIE DUNDERDALE (7/20/22)  
2 for the record this is a two-page  
3 email, Bates labeled  
4 MAPLE-PORK0000011971 to '11972. I'll  
5 ask that this be marked as Maplevale  
6 Exhibit 4.

7 (Maplevale Exhibit 4, email  
8 chain, Bates MAPLE-PORK0000011971 to  
9 '11972 was marked for identification,  
10 as of this date.)

11 BY MR. BOXBAUM:

12 Q. And, Ms. Dunderdale, please  
13 take your time in reviewing this document  
14 and let me know when you're ready.

15 A. Okay.

16 Q. All right. And looking first  
17 just at the top of the document, this is an  
18 email from Jennifer Issler?

19 A. "Issler."

20 Q. And she is with Maplevale?

21 A. Yes.

22 Q. And it's sent to you?

23 A. Yes.

24 Q. At jdunderdale@maplevalefarms.com?

25 A. Yes.

1 JULIE DUNDERDALE (7/20/22)

2 does not participate in any benchmarking  
3 services; is that correct?

4 A. Correct.

5 MR. OWEN: Object.

6 Q. You testified previously that  
7 Maplevale did not often use USDA data,  
8 correct?

9 MR. OWEN: Object to form.

10 A. Correct.

11 Q. And you also testified that  
12 Maplevale did not subscribe to Urner Barry;  
13 is that correct?

14 A. Correct.

15 Q. Was there any other publicly  
16 available data sources surrounding the pork  
17 industry that Maplevale did use?

18 MR. OWEN: Object to form.

19 A. No.

20 Q. Are you familiar with Agri  
21 Stats?

22 A. Agri Stats? No.

23 Q. Okay. I take it that Maplevale  
24 never subscribed to Agri Stats?

25 A. Not that I'm aware of.

1 JULIE DUNDERDALE (7/20/22)

2 Q. Is Maplevale familiar with a  
3 company called Express Markets, Inc.?

4 A. I am not -- I'm not familiar  
5 with it.

6 Q. Who -- Maplevale is located in  
7 New York, correct?

8 A. Yes.

9 Q. Was its -- what was the  
10 geographic scope of its business?

11 A. Our distribution area?

12 Q. Yeah.

13 A. We distribute in New York, a  
14 little in Ohio and in Pennsylvania as well.

15 Q. And in that region, who would  
16 Maplevale consider to be its competitors?

17 MR. OWEN: Object to form.

18 A. Curtsied, Sysco, US Foods  
19 Batino, GFS.

20 Q. Okay. Was Maplevale ever aware  
21 of its competitors' prices?

22 MR. OWEN: Object to form.

23 A. No, we don't share that  
24 information.

25 Q. You don't share Maplevale's

1 JULIE DUNDERDALE (7/20/22)

2 price information with its competitors?

3 A. No.

4 MR. OWEN: Object to form.

5 Q. Did Maplevale ever receive,  
6 either from its competitors or any other  
7 source, its competitors' prices?

8 MR. OWEN: Object to form.

9 A. Not that I'm aware of, no.

10 Q. Did Maplevale belong to any  
11 trade associations?

12 MR. OWEN: Object to form.

13 This topic was designated for Doug.

14 MR. BOXBAUM: If that is the  
15 case, I do apologize, but I thought  
16 that this was one for her.

17 MR. OWEN: I had a list.

18 Sorry, could we go off the record.

19 MR. BOXBAUM: Sure.

20 THE VIDEOGRAPHER: Going off  
21 the record at 11:56 a.m.

22 (Whereupon, at this time, a  
23 short break was taken.)

24 THE VIDEOGRAPHER: And we're  
25 back on the record at 11:57 a.m.